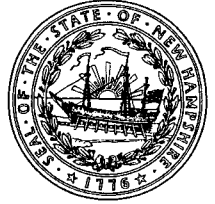




State of New Hampshire  
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095  
(603) 271-2147 FAX (603) 271-6588



**LETTER OF DEFICIENCY  
WET 2004-80**

December 20, 2004

Mr. Leopold Landry  
7 Weymouth Rd  
Londonderry, NH 03053

RE: DES Wetlands File #2004-02163, 7 Weymouth Rd, Londonderry

Dear Mr. Landry;

On October 6, 2004, and again on December 15, 2004 personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Londonderry Tax Map 15 as Lot 189 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Wt 100-700.

During the inspections the following deficiencies were documented:

1. A wetland drainage ditch measuring approximately 10 feet by 90 feet had been filled without a permit from the Department.
2. A culvert pipe had been placed in the fill and in a wetland detention pond

In response, you are requested to take the following actions:

1. Immediately retain the services of a certified wetland scientist to prepare a plan to restore the wetland drainage ditch. The plan should be submitted to DES by February 1, 2005 and contain the following:
  - a. A plan with dimensions, drawn to scale, indicating the delineated footprint of the wetland prior to disturbance (delineated in accordance with Section F of The Corps of Engineers Wetlands Delineation Manual) and; the footprint of the existing conditions indicating in square feet the area that has been disturbed;
  - b. A plan for re-establishing the former wetland at an elevation that properly conveys drainage flows from surrounding areas;
  - c. A proposed means of erosion control;
  - d. A proposed schedule and restoration sequence listing equipment and methods for accomplishing restoration;
  - e. A proposed planting plan for the re-establishment of wetland vegetation;
  - f. A monitoring and reporting schedule including an initial report to DES at least one restoration progress assessment report after a full growing season;
  - g. Carry out restoration, after and as conditioned in a separate DES Restoration Approval Letter, by March 31, 2005.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.


Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Arlene Allen, Compliance Specialist  
Wetlands Bureau  
Department of Environmental Services  
29 Hazen Drive  
PO Box 95  
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact Arlene Allen at (603) 271-4192.

Sincerely,

  
Collis G. Adams, CWS  
Administrator  
Wetlands Bureau

CERTIFIED MAIL 7004 0750 0003 0562 6564

cc: Mr. Rene Pelletier, Manager, Land Resources Management Program  
Ms. Gretchen R. Hamel, Administrator, DES Legal Unit  
Londonderry Conservation Commission  
Londonderry Board of Selectmen  
Mr. Frank Holdsworth, Town of Londonderry  
Mr. John Trottier, Town of Londonderry  
USACOE